

**BOARD OF SUPERVISORS MEETING
FIFTEENTH MEETING, 2023 SESSION (15)
MARCH 28, 2023**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, March 28, 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 Croker, seconded by Altena, to approve today's **agenda**. Carried.

Engineer Bret Wilkinson presented information to the Board in regard to purchasing a shop truck chassis. Wilkinson stated that he placed an order in 2019 for a truck chassis, which was cancelled. Wilkinson ordered again, and that order was cancelled. Wilkinson informed the Board that he was going to order a 3500, but was contacted by Edwards Chevrolet that they had a 5500 on the lot. Wilkinson stated that Edwards Chevrolet has a 2023 Chevrolet Silverado 5500 HD Chassis Crew Cab for \$67,000, and he requested that the Board allow him to purchase it. Wilkinson also informed the Board that the box had been ordered previously and is ready to be put on the chassis. Motion by Merten, second by Ringgenberg, to approve the Engineer to purchase the **2023 Chevrolet Silverado 5500 HD** Chassis Crew Cab from Edwards Chevrolet, for a cost of \$67,000. Carried.

Secondary Report: Work continues on the Linn Grove Bridge. They are working on the south pier; Bluebird Bridge is back to the original schedule, and will be closed Monday, April 3. Engineer Wilkinson stated that April 3 was the late start date, and if the weather is ok, he will charge days if the contractor doesn't begin; boring hasn't started for Windstream yet; Engineer Wilkinson informed the Board that the SMART Grant that he applied for and requested to be the fiscal agent for was not approved. Wilkinson stated that there will be a closeout meeting and he hopes to find out why BV County was turned down; the crew has been hauling a lot of gravel.

Hear the Public: There was no response from anyone requesting to speak, either virtually or in-person.

Motion by Croker, second by Merten, to approve the **minutes** of the 3/21/2023 meeting, as corrected, approve **today's claims approval list and stamped warrant register**, and accept the following **reports**: December Emergency Management Commission minutes, January Emergency Management Commission minutes, December E911 Service Board minutes, January E911 Service Board minutes, February NW IA YES Center minutes, February Conservation Board minutes, February Board of Health minutes, January Central IA Detention Commission minutes, and February Central IA Detention Commission minutes. Carried.

The Chair opened the public hearing for the 3rd **FY'23 budget amendment**, with Wil Hedderich (CR3 Connect), Engineer Bret Wilkinson, Conservation Director/Weed Commissioner Greg Johnson, and Buildings/Grounds Supt. Joe Keller present in-person, and KAYL, Heidi Kuhl, Sheriff Kory Elston, Conservation Board Administrative Assistant Angie Wilkinson, E911 Coordinator Mark Van Hooser, and two unidentified callers present virtually. Notice was published as required. No written objections were submitted, and no objections were offered during the hearing. Motion by Merten, second by Ringgenberg, to close the public hearing. Carried.

Motion by Ringgenberg, second by Merten, to approve the 3rd **FY'23 budget amendment** as published, to authorize the Chair to sign the Budget Amendment certification, to sign Resolution #2023-03-28-A, and to approve the following appropriations:

Increase activity	0300	Transfers Out	Dept 90	\$305,348
Increase activity	0110	General Basic Fund (0001)	Dept 83	\$6,298
Increase activity	0220	Capital Project Loan (1520)	Dept 52	\$20,000
Decrease activity	0220	Capital Project Loan (1520)	Dept 22	-\$2,109,376
Increase activity	0220	Capital Project Loan (1545)	Dept 82	\$11,750
Increase activity	0220	General Basic Fund (0001)	Dept 98	\$337,696
Increase activity	1000	K-9 Fund (0034)	Dept 33	\$1,000
Increase activity	1050	General Basic Fund (0001)	Dept 29	\$25,000
Increase activity	1050	General Suppl Fund (0002)	Dept 29	\$4,241
Increase activity	1050	Jail Commissary Fund (0030)	Dept 29	\$10,000
Increase activity	1100	General Basic Fund (0001)	Dept 04	\$22,500
Increase activity	1100	Forfeiture Fund (0035)	Dept 04	\$21,000
Increase activity	1520	General Suppl Fund (0002)	Dept 31	\$25,000
Increase activity	1620	General Suppl Fund (0002)	Dept 06	\$6,000
Increase activity	3040	General Basic Fund (0001)	Dept 23	\$64,850
Increase activity	3200	General Basic Fund (0001)	Dept 21	\$30,500
Increase activity	3200	General Suppl Fund (0002)	Dept 21	\$21,850
Increase activity	6010	Rural Basic Fund (0011)	Dept 24	\$2,536
Increase activity	6210	General Basic Fund (0001)	Dept 98	\$1,000
Increase activity	7210	Secondary Road Fund (0020)	Dept 20	\$300,000
Increase activity	8010	General Suppl Fund (0002)	Dept 02	\$5,000
Increase activity	8110	General Basic Fund (0001)	Dept 07	\$1,500
Increase activity	9000	General Basic Fund (0001)	Dept 01	\$3,000
Increase activity	9040	MHDS Fund (0006)	Dept 61	\$6,974
Increase activity	9100	General Basic Fund (0001)	Dept 67	\$3,400
Increase activity	9110	General Basic Fund (0001)	Dept 52	\$2,500 Carried.

**RESOLUTION NO. 2023-03-28-A
RESOLUTION AMENDING THE FY'23 ANNUAL BUDGET
BY ADOPTING BUDGET AMENDMENT #3**

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 approved Budget Amendment #2 on August 30, 2022, thereby increasing appropriations by \$5,080,855, for a total budget after the amendment of \$44,070,240; 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'23, as presented by the County Auditor, decreasing appropriations by -\$870,433; and

WHEREAS the Board of Supervisors believes the aforesaid budget amendment #3 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 28th day of March, 2023, by the Buena Vista County Board of Supervisors.

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

Board Member Merten introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2023A, AND LEVYING A TAX FOR THE PAYMENT THEREOF", and moved that the same be adopted. Board Member Croker seconded the motion to adopt. The roll was called, and the vote was, AYES: Altena, Croker, Merten, Ringgenberg, Snyder. NAYS: None.

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

RESOLUTION #2023-03-28-B

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,500,000
GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2023A,
AND LEVYING A TAX FOR THE PAYMENT THEREOF**

WHEREAS, Buena Vista County, State of Iowa ("Issuer"), is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of the remediation, restoration, repair, cleanup, replacement, and improvement of property, buildings, equipment, and public facilities that have been damaged by a disaster as defined in section 29C.2 and that are located in an area that the governor has proclaimed a disaster emergency or the president of the United States has declared a major disaster, including Linn Grove Dam, and the reimbursement of the county's general fund or other funds of the county for expenditures made related to remediation, restoration, repair, and cleanup of damage caused by a disaster as defined in section 29C.2 when the damage is located in an area that the governor has proclaimed a disaster emergency or the president of the United States has declared a major disaster, including Linn Grove Dam (the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, Series 2023A, in the amount of \$2,500,000 be issued; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to authorize issuance of the Notes.

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

Section 1. Authorization of the Issuance. General Obligation Capital Loan Notes, Series 2023A, in the amount of \$2,500,000 shall be issued pursuant to the provisions of Iowa Code Sections 331.402 and 331.443 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76.2, there is levied for each future year the following direct annual tax upon all the taxable property in Buena Vista County, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$95,350	2023/2024
\$99,710	2024/2025
\$98,935	2025/2026
\$448,185	2026/2027
\$447,123	2027/2028
\$450,765	2028/2029
\$448,965	2029/2030
\$451,665	2030/2031
\$448,702	2031/2032

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Buena Vista, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

PASSED AND APPROVED this 28th day of March, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Susan K. Lloyd, County Auditor

Motion by Croker, second by Altena, to set a **public hearing** regarding the proposal to sell the former Colorize Building, for April 18, 2023, at 9:00 a.m. in the Supervisors Boardroom, and to authorize the Chair to sign **Resolution #2023-03-28-C** regarding the proposed sale of the former Colorize building located at 317 East 5th, Storm Lake, Iowa. Carried.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF BUENA VISTA COUNTY, IOWA
RESOLUTION # 2023-03-28-C**

WHEREAS, Buena Vista County, Iowa has an interest in the legally described real estate in Buena Vista County, Iowa:

LOT FIVE (5), EXCEPT THE WEST TWENTY-FIVE (25) FEET THEREOF, BLOCK SEVENTEEN (17), IN THE CITY OF STORM LAKE, IOWA, including all easements of record.

Locally known as: 317 East 5th, Storm Lake, IA 50588

WHEREAS, the Board has determined that the County should dispose of its interest in the above legally described real property; and

WHEREAS, Iowa Code Section 331.361 provides that when the Board of Supervisors proposes to sell an interest in real property it shall set forth its proposal in a resolution and shall publish notice of the time and place for a public hearing upon the proposal.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buena Vista County, Iowa, in conformity with its obligation under Iowa Code Section 331.361, that notice shall be given of the following:

1. The public hearing on the proposal will be held on Tuesday, April 18, 2023 at 9:00 a.m. in in the meeting room of the Buena Vista County Board of Supervisors, First Floor, Buena Vista County Courthouse, 215 East 5th Street, Storm Lake, Iowa, 50588.

2. The Board will accept sealed bids for thirty (60) days from the date of the above stated public hearing. All bids received will be subject to review by the Board. The Board has the right to approve or reject any bid.

3. All sealed bids shall be addressed to the Buena Vista County, Iowa, Board of Supervisors, 215 East 5th Street, P O Box 220, Storm Lake, Iowa 50588.

4. Following the thirty (60) day bidding period, if no bid is approved by the Board, the County will list the legally described real property with a licensed realtor. The Board has the right to approve or reject any offer made through a realtor.

SO DATED 28th day of March, 2023.

/s/ Kelly Snyder, Chairperson.....Attest: Susan K. Lloyd, County Auditor

The Board proceeded with their budget work session.

There being no further business, motion by Ringgenberg, second by Croker, to adjourn the meeting at 10:50 a.m. until Tuesday, April 4, 2023, at 8:30 a.m. for a special session.