

**BOARD OF SUPERVISORS MEETING
TWENTY-FIRST MEETING, 2023 SESSION (21)
MAY 9, 2023**

The Buena Vista County Board of Supervisors met in regular session on Tuesday, May 9, 2023, at 8:30 A.M. in the Boardroom with Chairman Snyder presiding, and the following other members present: Croker, Altena, Merten, Ringgenberg, and with Auditor Susan Lloyd as clerk for the meeting. Absent: None.

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

Motion by Merten, seconded by Ringgenberg, to amend today's **agenda**, added a Jt. DD #22 beaver trapping bounty claim and a Jt. DD #Jt. DD #14-42 Main beaver trapping bounty. Carried.

Env Health/Zoning Director Ben Mueggenberg was present for the 2nd reading of Ordinance 6.1A-28 requesting a change in the Zoning District Map in Section 30-91-37 from A-1 to R-1. Motion by Merten, second by Croker, to approve the 2nd Reading of **ORDINANCE 6.1A-28 Amendment to Zoning District Maps in Section 30-91-37** waiving the physical reading of the document, and to waive the 3rd reading, making this the final reading of Ordinance 6.1A-28. Ayes: Altena, Croker, Merten, Ringgenberg, Snyder. Nays: None. Motion carried.

**Ordinance 6.1A-28
BUENA VISTA COUNTY ORDINANCE**

Title: AMENDMENT TO ZONING DISTRICTS MAP

Be it enacted by the Board of Supervisors of Buena Vista County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to amend the Zoning Districts Map with respect to the real estate described in Section 2 below in accordance with Section 10.104 of Ordinance 6.1 of the Buena Vista County 2003 Code of Ordinances.

SECTION 2. Change to Zoning Districts Map. The official Zoning Districts Map, referred to in Section 1.105 of Ordinance 6.1 of the Buena Vista County 2003 Code of Ordinances, is amended as follows:

DESCRIPTION LOT E

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST FRACTIONAL QUARTER (SW ¼ NW FRAC. ¼) OF SECTION 30 TOWNSHIP 91 NORTH, RANGE 37 WEST OF THE 5TH P.M., BUENA VISTA COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast (SE) corner of Lot A in said Section 30, which appears of record in document number 042823 in the office of Buena Vista County Recorder; Thence South 89° 48' 46" East, along the South line of the Northwest Fractional Quarter (NW Frac. ¼), 150.00 feet; Thence North 00° 00' 00" East, 340.00 feet; Thence North 89° 48' 46" West, 150.00 feet to the Northeast (NE) corner of said Lot A; Thence South 00° 00' 00" West, along the East line of said Lot A, 340.00 feet to the point of Beginning

Hereafter known as Lot E in Section 30, Township 91 North, Range 37 West of the 5th P.M., Buena Vista County, Iowa.

Tract contains 1.17 acres and is subject to all easements of record.

is changed from "A-1" Agricultural to "R-1" Residential District

SECTION 3. When Effective. This ordinance amending the Zoning Districts Map shall be in effect after

its final passage and publication as provided by law.

Adopted by the Board of Supervisors on this 9th day of May, 2023.

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

First reading 5-2-23, Second reading 5-9-23, Third reading-waived

Engineer Bret Wilkinson presented a **utility permit** for Evertek, Inc., Everly, IA, to install a fiber optic cable along County ROW for the transmission of high-speed internet service to subscribers. Merten suggested waiting two weeks to give the Drainage Engineer a chance to review the map and identify the crossings, and the depth of the tile, to be sure Evertek goes below the tile. Wilkinson stated that the request is to be in the shoulder of the road, and said that there are pros and cons, and stated that the county should have seen these maps 3-6 months ago. Wilkinson stated that Evertek has already started the work without a permit. Merten stated that Evertek needs to be told that the county won't approve the permit until they know where the tiles are. Croker stated that Evertek needs to be cognizant of what they are doing, with 40 plus miles in BV County. The consensus of the Board was to table any action on this request until May 23.

Secondary Report: Normal operations; crew finished shouldering and edge rutting, they are working on driveways and tile repairs before crops are planted; they set the beams last week on the Linn Grove Bridge; Bluebird Creek bridge is torn out and they have poured most of the box culvert; Engineer Wilkinson hopes to have both bridge projects done close to the same time.

Erik Lightner, CEO of Platinum Crush, Developer Nick Bowdish, and contractor Jerry Osmoe discussed the proposed discharge line plans, and requested the Board's concurrence, to work with Engineer Bret Wilkinson and Drainage Engineer Brian Blomme to ensure the concept is right before getting DNR permit. Motion by Merten, second by Ringgenberg, to support the proposed discharge line plans for **Platinum Crush** and support the project. Carried.

Drainage Engineer Brian Blomme presented a utility permit for Iowa Lakes Electric Cooperative to cross Drainage Districts of Buena Vista County within Providence Township. Motion by Merten, second by Croker, to approve and authorize the Chair to sign the **utility permit** for Iowa Lakes Electric Cooperative, Estherville, IA, to construct, operate and maintain facilities over, across, or beneath established Buena Vista County Drainage Districts, DD #103, DD #126, and DD #14 Ext., for four tiles and one open ditch. Carried.

Leanne Livermore and Priscilla Jackson, both of DHS, informed the Board that their Pitney Bowes contract was up, the last lease being in 2012. Both lease and purchase options were discussed, with not much difference in cost. Livermore and Jackson stated that they preferred the lease, in order to cover maintenance of the machine. Motion by Merten, second by Croker, to approve and authorize the Chair to sign the Pitney Bowes SendPro C200 Desktop mailing machine **lease agreement** for Department of Human Services, for \$55.18 per month for 60 months. Carried.

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

Motion by Croker, second by Ringgenberg, to authorize the Auditor to **void and reissue check** #319479 dated 2/28/23 for \$40.00 to Susan Lloyd, as the check has been lost. Carried.

Motion by Ringgenberg, second by Altena, to approve and authorize the Chair to sign a letter de-obligating the remainder of the funding for the **Rembrandt Career Link Employment Transportation Grant**, 21-CRLET-005, as the service is not being continued with the new owners of Rembrandt Foods. Carried.

Payroll Clerk Yvonne Sandhoff has received questions from employees regarding the recently amended vacation policy. Clarification is needed regarding vacation granted prior to hitting the 2-year work anniversary. Motion by Croker, second by Ringgenberg, to clarify the employee **vacation policy** to state that any employee working after their first six months will receive their first week of vacation, then at one year will receive their second week of vacation. Any employee between their first- and second-year work anniversary will receive their second week of vacation and begin accruing on the 10-day vacation schedule. Carried.

Motion by Croker, second by Merten, to approve the **minutes** of the 5/02/2023 meeting, as presented, approve **today's claims approval list and stamped warrant register**, with the exception of the claim to Efficient Construction for \$3,788.51 for a building permit which is to be pulled out, and accept the following **reports**: April Sheriff's Report of Fees Collected and April Sheriff's Report of Federal Inmate Billings. Carried.

Discussion began on appointing the **HIPAA Compliance Committee and Officers**. Croker stated that she is not comfortable being appointed as Privacy Officer until she learns more about it. Merten stated that Rolling Hills contracts with a company that takes care of their HIPAA, and stated that he would check with CEO Dawn Mentzer, Rolling Hills, to see if the County could also contract with this company. It was the consensus of the Board to table any action on this until a later meeting.

Motion by Ringgenberg, second by Croker, to approve and authorize chair to sign the **EBS - Employer Benefit Systems** renewal forms for the FY'24 Plan year. Carried.

Motion by Ringgenberg, second by Croker, to rescind the previous motion regarding the **EBS - Employer Benefit Systems** renewal documents, and to hold off on renewal until more information is gathered, and to contact Tom Schuetz, Group Services. Carried.

A letter was received from Army Survivor Outreach Services Western Iowa Support Coordinator Cory Van Sloten requesting the Board of Supervisors support for memorial highway signage in honor of Specialist Brian Botello at the west and east city limits of Storm Lake on IA 7 as part of the proposed SPC Brian Botello Memorial Highway on IA 7 from IA 3 to US 71. SPC Botello is the only casualty from Aurelia, Alta, or Storm Lake who was killed in action in the Global War on Terror. This 19-mile stretch of IA 7 makes for a fitting memorial highway in honor of SPC Botello, who was 19 at the time of his death. Motion by Merten, second by Ringgenberg, to approve and authorize the Chair to sign **Resolution #2023-05-09-A** Supporting Memorial Highway Signage in Honor of Specialist Brian Botello. Carried.

RESOLUTION 2023-05-09-A

Supporting Memorial Highway Signage in Honor of Specialist Brian Botello

WHEREAS, a letter was received from Army Survivor Outreach Services Western Iowa Support Coordinator Cory Van Sloten requesting support for memorial highway signage in honor of Specialist Brian Botello; and

WHEREAS, SPC Botello is the only casualty from Aurelia, Alta, or Storm Lake who was killed in action in the Global War on Terror; and

WHEREAS, the 19-mile stretch of IA 7 from IA 3 to US 71, proposed to be named SPC Brian Botello Memorial Highway, makes for a fitting memorial highway in honor of SPC Botello, who was 19 at the time of his death; and

WHEREAS, the Buena Vista County Board of Supervisors recognizes this request as a lasting tribute to SPC Botello's selfless service to and sacrifice for the nation, the sacrifice of his surviving family, and the solemn pride of his home community and county;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Buena Vista County that the Board of Supervisors hereby supports the memorial highway signage for the SPC Brian Botello Memorial Highway on IA 7 from IA 3 to US 71.

PASSED AND APPROVED, May 9, 2023.

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

Motion by Croker, second by Merten, to approve the Jt. DD #22 beaver claim payable to Ryan Smith for \$150.00. Carried.

Motion by Merten, second by Ringgenberg, to approve the Jt. DD #14-42 Main beaver claim payable to Ryan Smith for \$50.00. Carried.

Chairman Snyder informed the Board that at the last Department Head Meeting, EMA Director Aimee Barritt suggested that the Board may want to think about delaying the opening of the Courthouse two hours on Monday, July 24, due to all of the RAGBRAI riders that will be trying to ride out of town that morning. No action was taken at this time.

There being no further business, motion by Croker, second by Merten, to adjourn the meeting at 11:10 a.m. until Tuesday, May 23 , 2023, at 8:30 a.m. for a regular session. (No meeting is planned for May 16)